

JPW/1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Adrian Gilbert et al.
 U.S. Serial No.: 09/788,131 Examiner: P. VanderVegt
 Filed : February 16, 2001 Group Art Unit: 1644
 For : ORAL, NASAL AND PULMONARY DOSAGE
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SIR:

EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE
 STATEMENT PURSUANT TO 37 C.F.R. §1.97(c) (2)

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following publications which are listed again on the attached Form PTO-1449 (**Exhibit A**). Copies of References 16-42 are attached hereto as **Exhibits 1-27**.

This Eighth Supplemental Information Disclosure Statement is being submitted after the issuance of a first Office Action on the merits in connection with the subject application, but prior to the issuance of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution. Pursuant to 37 C.F.R. § 1.97(c) (2), the required fee for filing an Information Disclosure Statement is \$180.00 and a check in this amount is enclosed. Accordingly, this Eighth Supplemental Information Disclosure Statement shall be considered pursuant to 37 C.F.R. §1.97(c) (2).

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1. U.S. Patent No. 6,514,938, issued February 4, 2003 to Gad, et al.;
2. U.S. Patent No. 6,800,285, issued October 5, 2004 to Rodriguez, et al.;
3. U.S. Patent No. 6,800,287, issued October 5, 2004 to Gad, et al.;
4. U.S. Patent No. 6,844,314, issued January 18, 2005 to Eisenbach-Schwartz, et al.;
5. U.S. Patent Application Publication US-2002-0077278, published June 20, 2002 (Yong et al.);
6. U.S. Patent Application Publication US-2002-0055466, published May 9, 2002 (Aharoni, et al.);
7. U.S. Patent Application Publication US-2002-0107388, published August 8, 2002 (Vandenbark, et al.);
8. U.S. Patent Application Publication US-2002-0115103, published August 22, 2002 (Gad, et al.);
9. U.S. Patent Application Publication US-2002-0182210, published December 5, 2002 (Rodriguez, et al.);
10. U.S. Patent Application Publication US-2003-0170729, published September 11, 2003 (Klinger, Ety);
11. U.S. Patent Application Publication No. US-2004-0006022, published January 8, 2004 (Strominger, et al.);

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12. U.S Patent Application Publication No. US-2004-0106554 A1, published June 3, 2004 (Konfino, et al.);
13. U.S. Patent Application Publication US-2005-0014694, published January 20, 2005 (Yong, et al.);
14. U.S. Patent Application Publication No. US 2005-0019322, published January 27, 2005 (Rodriguez, et al.);
15. U.S. Patent Application Publication No. 2005-0038233, published February 17, 2005 (Gad, et al.);
16. PCT International Application No. PCT/US00/14902 (WO 01/85797), published November 15, 2001 (Rodriguez, et al.) (**Exhibit 1**);
17. PCT International Publication No. WO 02/076503, (PCT/US01/19584), published October 3, 2002 (**Exhibit 2**);
18. PCT International Publication No. WO 03/048735, (PCT/US02/38859), published June 12, 2003 (**Exhibit 3**);
19. Aharoni, et al., "Copolymer 1 induces T cells of the T helper type 2 that crossreact with myelin basic protein and suppress experimental autoimmune encephalomyelitis", Proc. Natl. Acad. Sci. USA, 1997, 94, 10821-10826 (**Exhibit 4**);
20. Aharoni, et al., "Cop 1 Specific Supporessor Cells Inhibit Experimental Allergic Encephalomyelitis Induced by Either Mouse Spinal Cord Homogenate or Proteolipid Protein Peptide 139-151", Neurology, 1997, Vol. 48, No. 3, A422 (**Exhibit 5**);

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21. Aharoni et al., "Bystander Suppression of Experimental Autoimmune Encephalomyelitis by T Cell Lines and Clones of the Th2 Type Induced by Copolymer 1", J. Neuroimmunol. 1998, 91(1-2), 135-146 (**Exhibit 6**);
22. Asakura et al., "A unique population of circulating autoantibodies promotes central nervous system remyelination", Multiple Sclerosis, 1998, 4, 217-221 (**Exhibit 7**);
23. Asakura et al., "Targeting of IgMk Antibodies to Oligodendrocytes Promotes CNS Remyelination", The Journal of Neuroscience, 1998, 18(19), 1700-1108 (**Exhibit 8**);
24. Bieber, et al., "Antibody-mediated remyelination: relevance to multiple sclerosis", Multiple Sclerosis, 2000, 6(2), S1-S5 (**Exhibit 9**);
25. Bieber, et al., "Humoral autoimmunity as a mediator of CNS repair", A Trends Guide to Neurodegenerative Disease and Repair/Review, 2001, 24(11), S39-S44 (**Exhibit 10**);
26. Duda, et al., "Human and Murine CD4 T Cell Reactivity to a Complex Antigen: Recognition of the Synthetic Random Polypeptide Glatiramer Acetate", The Journal of Immunology, 2000, 165, 7300-7307 (**Exhibit 11**);
27. Johnson, et al. "Copolymer 1 reduces relapse rate and improves disability in relapsing-remitting multiple sclerosis: results of a phase III multicenter, double-blind placebo-controlled trial. The Copolymer 1 Multiple

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Sclerosis Study Group", Neurology, 45(7), 1268 (abstract)
(Exhibit 12);

28. Lovell, K. and Jones, M., "CNS Infections, Spongiform Encephalopathy and Demyelinating Diseases," Karol Marcinkowski U. Med. Sci., Dept. Pathol., Poland, last updated on 2003-04-20, <URL:http://ampat.amu.edu.pl/guzyuno/CNS_INFE.HTM> **(Exhibit 13);**
29. McGavern, et al. "Do Antibodies Stimulate Myelin Repair in Multiple Sclerosis?", The Neuroscientist, 1999, 5(1), 19-28 **(Exhibit 14);**
30. Merck Manual of Diagnosis and Therapy, Merck Research Laboratories, Whitehouse Section, N.J., 17th Ed., 1999, 1300-1303, 1312-1317 **(Exhibit 15);**
31. Pavelko, et al., "Acceleration in the Rate of CNS Remyelination in Lyssolecithin-Induced Demyelination", The Journal of Neuroscience, 1998 18(7), 2498-2505 **(Exhibit 16);**
32. Pharmacia Biotech Directory, 1996, pages 340-341 **(Exhibit 17);**
33. Physician's Desk Reference, 2000, Medical Economics Co. Inc., Montvale, NJ, 3115 **(Exhibit 18);**
34. Rodriguez, et al., "Neurological Therapeutics, 1998, 15(3): 245-250 **(Exhibit 19);**
35. Sela, M., et al., "Synthetic Approaches to Vaccines for

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Infectious and Autoimmune Diseases" Vaccine, 1992, Vol. 10,
Issue 14, 991-999 (**Exhibit 20**);

36. Teva, et al., "Copolymer-1 Glatiramer Acetate Copaxone Agent for Multiple Sclerosis", Drugs of the Future, 1998, Vol. 23, No. 2, 213-214 (**Exhibit 21**);
37. Warrington, et al., "Human monoclonal antibodies reactive to oligodenrocytes promote remyelination in a model of multiple sclerosis", PNAS, 2000, 97(12), 6820-6825 (**Exhibit 22**);
38. Warrington, et al., "Immunoglobulin-mediated CNS repair", J. Allergy Clin. Immunol., 2001, S121-S125 (**Exhibit 23**);
39. Wiesemann, et al., "Glatiramer Acetate (GA) induces IL-13/IL-5 secretion in naïve T cells", Journal of Neuroimmunology, 2001, 119, 137-144 (**Exhibit 24**);
40. Lampert, et al., "Expression of Matrix Metalloproteinases and Their Inhibitors in Human Brain Tumors", American Journal of Pathology, Vol. 153, No. 2, 1998, 429-437 (**Exhibit 25**);
41. Pereira, et al., "The Blood-Brain Barrier in HIV-associated Dementia", NeuroAids, Vol. 3, No. 2, 2000 (**Exhibit 26**);
42. Kieseier, et al., "Differential Expression of Matrix Metalloproteinases in Bacterial Meningitis", Brain, 1999, 122:1579-1587(**Exhibit 27**).

Reference items 1-15 are either U.S. patents or U.S. patent application publications. Pursuant to 37 C.F.R. 1.98(a)(2),

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copies of references 1-15 are not being submitted.

Applicants request that the Examiner review the publications and make them of record in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, in addition to the enclosed \$180.00, is deemed necessary in connection with the filing of this Eighth Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Gary J. Gershik

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
John P. White Reg. No. 28,678 Gary J. Gershik Reg. No. 39,992	Date <i>Gary J. Gershik 9/6/01</i>

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Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office										Atty. Docket No. 60623-A	U.S. Serial No. 09/788,131		
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)												Applicant: Adrian Gilbert et al.			
												Filing Date: February 16, 2001	Group Art Unit 1644		
U.S. PATENT DOCUMENTS															
Examiner Initial		Document Number							Date	Name		Class	Subclass	Filing Date if Appropriate	
	US	6	5	1	4	9	3	8	2/4/03	Gad, et al.					
	US	6	8	0	0	2	8	5	10/5/04	Rodriguez, et al.					
	US	6	8	0	0	2	8	7	10/5/04	Gad, et al.					
	US	6	8	4	4	3	1	4	1/18/05	Eisenbach-Schwartz, et al.					
	US	20	02	00	77	2	7	8	6/20/02	Yong et al.					
FOREIGN PATENT DOCUMENTS															
		Document Number							Date	Country	Class	Subclass	Translation		
		WO	0	1	8	5	7	9	7	11/15/01	PCT			Yes	No
		WO	0	2	0	7	6	5	03	10/3/02	PCT				
		WO	0	3	0	4	8	7	35	6/12/03	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)															
		Aharoni, et al., "Copolymer 1 induces T cells of the T helper type 2 that crossreact with myelin basic protein and suppress experimental autoimmune encephalomyelitis", <u>Proc. Natl. Acad. Sci. USA</u> , 1997, <u>94</u> , 10821-10826													
		Aharoni, et al., "Cop 1 Specific Suppressor Cells Inhibit Experimental Allergic Encephalomyelitis Induced by Either Mouse Spinal Cord Homogenate or Proteolipid Protein Peptide 139-151", <u>Neurology</u> , 1997, Vol. 48, No. 3, A422													
		Aharoni et al., "Bystander Suppression of Experimental Autoimmune Encephalomyelitis by T Cell Lines and Clones of the Th2 Type Induced by Copolymer 1", <u>J. Neuroimmunol.</u> 1998, <u>91</u> (1-2), 135-146													
		Asakura et al., "A unique population of circulating autoantibodies promotes central nervous system remyelination", <u>Multiple Sclerosis</u> , 1998, <u>4</u> , 217-221													
		Asakura et al., "Targeting of IgMk Antibodies to Oligodendrocytes Promotes CNS Remyelination", <u>The Journal of Neuroscience</u> , 1998, <u>18</u> (19), 1700-1108													
		Bieber, et al., "Antibody-mediated remyelination: relevance to multiple sclerosis", <u>Multiple Sclerosis</u> , 2000, <u>6</u> (2), S1-S5													
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EXAMINER				DATE CONSIDERED											
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>															

Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office										Atty. Docket No. 60623-A	U.S. Serial No. 09/788,131
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Examiner Initial		Document Number			Date	Name			Class	Subclass	Filing Date if Appropriate		
	US	20	02	00	55	4	6	6	5/9/02	Aharoni, et al.			
	US	20	02	01	07	3	8	8	8/8/02	Vandenbark, et al.			
	US	20	02	01	15	1	0	3	8/22/02	Gad, et al.			
	US	20	02	01	82	2	1	0	12/5/02	Rodriguez, et al.			
	US	20	03	01	70	7	2	9	9/11/03	Klinger, Ety			
FOREIGN PATENT DOCUMENTS													
		Document Number			Date	Country			Class	Subclass	Translation		
										<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)													
	Duda, et al., "Human and Murine CD4 T Cell Reactivity to a Complex Antigen: Recognition of the Synthetic Random Polypeptide Glatiramer Acetate", The Journal of Immunology, 2000, <u>165</u> , 7300-7307												
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	US	20	04	01	06	5	5	4
	US	20	05	00	14	6	9	4
	US	20	05	00	19	3	2	2
	US	20	05	00	38	2	3	3

FOREIGN PATENT DOCUMENTS

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		Yes	No					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Physician's Desk Reference, 2000, Medical Economics Co. Inc., Montvale, NJ, 3115
	Rodriguez, et al., "Neurological Therapeutics, 1998, 15(3): 245-250
	Sela, M., et al., "Synthetic Approaches to Vaccines for Infectious and Autoimmune Diseases" Vaccine, 1992, Vol. 10, Issue 14, 991-999
	Teva, et al., "Copolymer-1 Glatiramer Acetate Copaxone Agent for Multiple Sclerosis", Drugs of the Future, 1998, Vol. 23, No. 2, 213-214
	Warrington, et al., "Human monoclonal antibodies reactive to oligodenrocytes promote remyelination in a model of multiple sclerosis", PNAS, 2000, 97(12), 6820-6825
	Warrington, et al., "Immunoglobulin-mediated CNS repair", J. Allergy Clin. Immunol., 2001, S121-S125
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